

January 17, 2006

HILLSBOROUGH COUNTY  
EMERGENCY MEDICAL PLANNING COUNCIL

RULES AND REGULATIONS

1.0 DEFINITIONS

- 1.1 All definitions contained in Ordinance 06-9, are hereby incorporated into these rules and regulations.
- 1.2 “ALS” shall mean Advanced Life Support.
- 1.3 Any term used and not otherwise defined in Ordinance 06-9, as amended, shall have the meaning given to it by Chapter 401, Part III, Florida Statutes. Any term not defined in Ordinance 06-9, as amended, and not defined in Chapter 401, Part III, Florida Statutes shall first be construed using the meaning commonly given to the term within the medical transportation service industry, or, second, using its common everyday meaning.

2.0 DESIGN AND CONSTRUCTION OF VEHICLE:

- 2.1 Certificate Holders shall comply with all applicable Federal and State requirements.

3.0 EQUIPMENT AND MEDICAL SUPPLIES:

- 3.1 Certificate Holders shall comply with all applicable Federal and State requirements.
- 3.2 In addition to Federal and State requirements, all Advanced Life Support transport vehicles shall have the capability to obtain, interpret, and communicate 12-lead EKG's.

4.0 SANITATION AND MAINTENANCE OF VEHICLES:

- 4.1 Certificate Holders shall comply with all applicable Federal and State requirements.
- 4.2 All medical transport vehicles used shall be clean and in a safe mechanical condition.

5.0 MINIMUM TRAINING AND QUALIFICATIONS OF PERSONNEL:

- 5.1 Certificate Holders shall comply with all applicable Federal and State requirements.

6.0 OBEDIENCE TO TRAFFIC LAWS:

6.1 Certificate Holders shall comply with all applicable Federal and State requirements.

7.0 CENTRAL PLACE OF BUSINESS:

7.1 Each certificate holder must maintain a central place of business as listed on the most recent application or renewal. This place of business, if listed in the telephone directory, must be described in accordance with the certificate as granted or in such a manner as to accurately describe the nature of the service.

7.2 Relocation of Business. Each certificate holder that relocates the central place of business to another location will notify the Emergency Medical Planning Council, in writing, within seven days following the relocation of said business.

8.0 COMMUNICATIONS EQUIPMENT:

8.1 Certificate Holders shall comply with all applicable Federal and State requirements.

9.0 RECORD KEEPING:

9.1 Certificate Holders shall comply with all applicable Federal and State requirements.

10.0 LEVELS OF SERVICE:

10.1 Certificate Holders shall comply with all applicable Federal and State requirements.

11.0 PERSONNEL REQUIREMENTS:

11.1 Certificate Holders shall comply with all applicable Federal and State requirements.

11.2 Staffing of ALS transport, ALS non-transport, and air medical transport services shall be staffed twenty-four hours a day and meet all applicable Federal and State requirements.

11.3 Advanced Life Support Medical Stand-by shall have one paramedic available at all times while operating.

12.0 RESPONSE TIME:

12.1 Certificate Holders shall comply with all applicable Federal and State requirements.

12.2 Each certificate holder shall dispatch or cause to be dispatched the most appropriate available unit on each emergency call as rapidly as possible.

13.0 PROCEDURES FOR RESPONSE TO CALLS:

13.1 Certificate Holders shall comply with all applicable Federal and State requirements.

14.0 PERIODIC DATA REPORTING:

14.1 Certificate Holders shall comply with all applicable Federal and State requirements.

15.0 DEFICIENCY CORRECTION NOTICE:

15.1 Certificate Holders shall comply with all applicable Federal and State requirements.

15.2 Deficiency correction notices shall be issued by the Council or its authorized representative to notify a certificate holder of any infraction or potential situation of infraction with the infraction specified and a specified time period allowed for correction. If the correction is not made within the specified time period, a report will be forwarded by staff to the Council or the Board, whichever is more appropriate, for further action.

16.0 APPLICATION FORM:

16.1 Applications for Certificates, permits, renewals and ownership changes shall be submitted on the forms attached to these Rules as appendix "A".

17.0 HEARING PROCEDURES

17.1 Hearing Officer and Council Public Hearings

17.1.1 Unless directed to schedule a Council public hearing, the Council staff shall schedule a Hearing Officer public hearing and refer each application requiring public hearings to a hearing officer selected from a list of one or more hearing officers qualified by the Council. In the circumstance that the Council is directed to hold the public hearing, the hearing officer public hearing procedures described herein will apply and the chairman of the Council will lead the public hearing and act as Hearing Officer except with respect to preparation of the Report and Recommendations to the Board which shall be upon vote of the Council.

17.1.2 The Hearing Officer shall conduct public hearings per the procedures adopted in these rules.

17.1.3 All public hearings shall be recorded by a certified court reporter.

17.1.4 Any current Certificate Holder may submit a written opinion to the Council regarding the pending application. The written opinion must be received no later than five (5) business days prior to the scheduled hearing. An opinion may include relevant documentation in support thereof. Relevant documentation shall not include affidavits, declarations or sworn statements. Public records submitted in support of a

written opinion shall be authenticated by seal or signature of an individual in his or her capacity which indicates that the records are true and accurate copies of the original. Any written opinion will be considered by the Hearing Officer in formulating a recommendation regarding the application.

- 17.1.5 Any Certificate Holder authorized to intervene, who wishes to present testimony or cross-examine witnesses at the public hearing must file a Notice of Appearance and Intervention with the Council no later than 12:00 p.m., ten (10) business days prior to the public hearing. The Notice of Appearance and Intervention shall include: the name, address, and telephone number of the person filing the Notice of Appearance and Intervention; name, address, and telephone number of any representative or lawyer for that person; the names of all persons to be called as witnesses; and, the approximate amount of time needed to present testimony. The actual amount of time allotted each person filing a Notice of Appearance and Intervention to present testimony and the presentation of additional witnesses is within the authority of the Hearing Officer.
- 17.1.6 The following are general powers and duties of the Hearing Officer, as well as, rules and procedures which shall govern all Hearing Officer public hearings:
  - a. The public hearing will begin promptly at the time and date stated in the notice of the hearing, unless continued for cause.
  - b. Any person wishing to speak at the public comment portion of the public hearing, other than a person who filed a Notice of Appearance and Intervention, must enter his name on the speaker sign-up list. This must be done before public comment begins. The list shall be placed at the entry to the room where the public hearing is being held, or at some other convenient and conspicuous place.
  - c. The Hearing Officer will commence the public hearing and make opening statements as necessary .
  - d. Each person who places their name on the speaker sign-up list will be called to speak. Each speaker will have a maximum of five (5) minutes to speak. Each speaker will be called to speak in order in which their name appears on the speaker sign-up list.
  - e. A speaker may be questioned by the Hearing Officer. No one other than the Hearing Officer shall question a speaker.
  - f. The Hearing Officer may question the representative of the Council present at the public hearing or legal counsel for the Council, on the pending application, written opinions, testimony of any witness, and comments of any speaker. The Hearing Officer may question the Applicant on any matters related to the application and may request additional information from the Applicant.

- g. The Applicant may present testimony and witnesses in support of the application at the public hearing. If the Applicant intends to exercise this option, the Applicant must so notify the Council not later than 12:00 p.m., five (5) business days prior to the public hearing. Such notice shall include the names of all persons to be called as witnesses and, the approximate amount of time needed to present testimony. The actual amount of time allotted the Applicant to present testimony and the presentation of additional witnesses is within the authority of the Hearing Officer.
- h. The applicant may cross-examine the witnesses presented by persons filing a Notice of Appearance and Intervention. Persons filing a Notice of Appearance and Intervention may cross-examine the witnesses presented by the applicant. The Hearing Officer may examine any witness testifying at the public hearing. The amount of time allotted for cross-examination is within the authority of the Hearing Officer. Re-cross shall not be permitted, except by the Hearing Officer.
- i. All testimony shall be taken under oath of affirmation.
- j. Strict rules of evidence shall not apply, but evidence must be relevant to the issues and hearsay evidence shall be avoided whenever possible. Irrelevant, immaterial, or unduly repetitious evidence shall be excluded, but all other evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be admissible in the courts of Florida. Hearsay evidence may be used only for the purpose of supplementing or explaining other evidence, but it shall not be sufficient, in and of itself to support a finding unless it would be admissible over objection in civil actions. Any public records must be authenticated by a seal or signature of an individual in his or her official capacity which indicates that the records are true copies from a public record.
- k. The Hearing Officer may take such other appropriate actions he may deem necessary to obtain the information needed to complete his report and recommendation concerning the pending application, including continuing the proceedings and requesting the Council staff to conduct further factual investigation with respect to the pending application.
- l. All costs, including, but not limited to, hearing officer fees, public notice costs, and court reporter fees associated with the public hearing shall be the responsibility of the applicant in the absence of any intervention by one or more existing Certificate Holders. Otherwise, said costs shall be shared on a pro-rata basis between the applicant and each intervenor(s). The initial and minimum public hearing fee will be \$ \_\_\_\_\_.
- m. The original application and supporting documentation, all written opinions and

supplemental documentation, evidence admitted at the public hearing, the transcript of the public hearing, and the original documentation setting forth the report and recommendation of the Hearing Officer, shall be maintained by the Council staff in a separate file. The file shall be open to inspection to the public at any time; however, members of the Board should refrain from viewing any portion of the file until the Hearing Officer has issued his Report and Recommendation.

- n. Each certificate issued hereunder shall be signed by the Chairperson or Vice-Chairperson of the Council, and shall contain, in addition to the name and address of the applicant, a statement of the class and subclass(es) of service authorized and the number of permits authorized. The certificate shall also have stated thereon such additional conditions, and/or limitations as the Board may deem necessary.
- o. The certificate will be provided to the applicant when all administrative requirements have been fulfilled, to include payment of permit fees. A copy of each certificate shall be filed with the Board

#### 18.0 CIVIL RIGHTS:

- 18.1 Any person, firm, corporation, association or governmental agency submitting an application for certification under the provisions set forth in the Ordinance shall assure Hillsborough County, Florida that said person, firm, corporation, association or governmental agency is in compliance with Title VII of the 1964 Civil Rights Act, as amended, the Federal Civil Rights Act of 1991, the Florida Civil Rights Act of 1992, and Hillsborough County Ordinance 88-8, as amended, in that said party does not on the grounds of race, color, national origin, religion, sex, age, handicap, or marital status discriminate in any form or manner against said party's employees or applicants for employment. Other applicable federal and state laws, executive orders, and regulations prohibiting the type of discrimination as herein above delineated are included by this reference thereto. This Statement of Assurance shall be interpreted to include Vietnam Era Veterans and Disabled Veterans within its protection.

**APPENDIX "A" - FORMS**